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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,567	07/31/2000	Li Wen Liu	A-69366/MAK/LM	4144

7590

03/28/2002

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EXAMINER

SANDERS, ALLYSON N

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 03/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/628,567

Applicant(s)

LIU ET AL.

Examiner

Allyson N Sanders

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Price et al (5,561,282).

Price et al teaches the following:

“The present invention relates to a signature capture device, and more particularly relates to a signature capture pad for digitizing a signature provided in conjunction with a financial transaction.” (Col. 1, lines 12-15).

“Credit cards typically include two sources of essential account information. A magnetic stripe includes the account number, expiration date, cardholder's name, and other information.” (Col. 1, lines 29-32)

“In order for a credit card transaction to be processed, a merchant must collect a variety of data associated with the transaction. This data typically includes the purchase price and date of the transaction, the account number and expiration date of the credit card, and the cardholder's name and signature. Once this data is collected, the merchant transmits the transaction data, along with its merchant identification code, to a credit card transaction processor. The credit card processor sorts the data

according to the company that issued the credit card, and forwards the data to the appropriate company. At that point, the credit card issuer posts the transaction to the cardholder's account and the purchase amount is credited to the merchant." (Col. 1, lines 35-47).

"The equipment includes point-of-sale (POS) equipment used by merchants and computer systems used by credit card processors." (Col. 1 and 2, lines 67-2).

"In addition to a cash register, merchants that accept credit cards use other POS equipment to collect data associated with the credit card. This equipment usually includes electronic terminals that read the account number and expiration date from a magnetic stripe on the credit card and transmit the transaction data to the credit card processor. Such equipment may be separate from, or integrated into, the cash register equipment." (Col. 2, lines 6-13).

"The POS equipment typically includes a printer that is capable of printing a sales receipt." (Col. 2, lines 29-30).

"This process of retaining and retrieving signed receipts is simplified if the merchant employs POS equipment that allows the cardholder's signature to be digitized, transmitted, and stored along with the numeric data associated with the transaction. In such cases, the signature is digitized as the cardholder signs the credit card receipt. The digitized signature data and numeric transaction data are combined and transmitted to the credit card processor, where the data is stored for a predetermined period of time." (Col. 2, lines 48-56).

"Furthermore, a merchant's existing POS equipment may be connected to peripheral devices, such as check readers for automatically reading checking account data and PIN pads, which are used to input a debit card user's personal identification number (PIN)." (Col. 3, lines 8-13).

"In order to facilitate the automatic collection of transaction data, it would be desirable to provide a signature capture device that could be used in conjunction with existing electronic cash registers and POS terminals." (Col. 3, lines 16-19).

"Each electronic cash register also may include a display or printer capable of producing a facsimile signature corresponding to the digitized signature signals." (Col. 3 and 4, lines 67-2).

"To better accommodate these customers, the merchant may wish to obtain customer signatures on a transaction receipt at a counter location remote from the electronic cash register. Likewise, in this and other POS environments, the merchant may wish to present sales receipts to customers at a counter location away from the electronic cash register in order to prevent customer lines from forming at the register. An inexpensive add-on signature capture device should give a merchant the flexibility to conduct sales transactions in such aforementioned situations." (Col. 4, lines 17-27).

"Furthermore, because some POS equipment includes interconnected peripheral devices having a limited number of communications ports, there is a need for a signature capture pad that may be connected to existing POS equipment, and that facilitates data communication between POS equipment and peripheral devices." (Col. 4, lines 34-39).

"In addition, an alternative embodiment provides a personal identification number (PIN) pad. The preferred signature capture pad provides an additional serial communication port that may be connected to peripheral devices such as a MICR check reader, embossed card reader, PIN pad or other serial devices." (Col. 4, lines 49-54).

"The POS terminal includes a display, a keypad, and a device such as a magnetic stripe reader for obtaining numeric data associated with the transaction. The POS equipment also includes a printer for printing a receipt. A remote host computer receives transaction data from said terminal." (Col. 5, lines 39-44).

"More particularly described, a transaction processing system employing the preferred signature capture pad includes a terminal that includes a keypad and is capable of obtaining numeric data associated with the financial transaction." (Col. 5, lines 49-52).

"Thus, the present invention provides a standalone signature capture pad that is independent of the POS terminal. The signature capture pad is operative for acquiring signature information in connection with a financial transaction and for communicating the signature information to the POS terminal." (Col. 5 and 6, lines 63-1).

"According to another aspect of the present invention, a signature capture/PIN pad includes an electromagnetic digitizer including a grid and a stylus." (Col. 25-27, lines).

"The PIN pad includes a display and a keypad, and is operative to provide numeric signals in response to the actuation of said keypad." (Col. 6, lines 29-32).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Protheroe et al (5,380,958) and (5,120,906), Price (5,448,044), Crooks (5,401,916), and (JP09026492).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Allyson Sanders* whose telephone number is (703) 305-5779. The examiner can normally be reached between the hours of 7:30AM to 4:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax phone number for this Group is (703) 308-7722, (703) 308-7724, or (703) 308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [allyson.sanders@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Allyson Sanders
Patent Examiner
Art Unit 2876
March 18, 2002



KARL D. FRECH
PRIMARY EXAMINER